

REMARKS

The following remarks are responsive to the Office Action mailed on July 10, 2003.

Claims 10-11 and 14-39 have been canceled without prejudice. Claims 1-9 and 12-13 are pending. Applicants reserve the right to pursue the subject matter in those canceled claims in subsequent divisional and/or continuation applications. Accordingly, Applicants respectfully request examination of claims 1-9 and 12-13.

Restriction Requirement

The Examiner has restricted claims 1-39 under 35 U.S.C. § 121 into eight groups, and requested Applicants to elect one of the eight groups for examination purposes. Applicants respectfully request the Examiner to reconsider the restriction requirement under 37 C.F.R. § 1.143 in view of canceled claims 10-11 and 14-39.

Applicants respectfully submit that claims 1-9 and 12-13 should be examined together as at least being directed to a variable speed wind turbine with a passive grid side rectifier. The examination of claims 1-9 and 12-13 would not place undue burden on the Examiner. See, e.g., MPEP § 803, at 800-4.

Information Disclosure Statement

The Examiner refused to consider all of the references submitted in the Information Disclosure Statement filed on March 20, 2002. (07/10/03, Office Action, at 3). Specifically, the Examiner stated:

Applicant(s) inundated the Examiner with a large volume of prior art that is not material and may obscure a single reference that is material and thus may be effective as improper as withholding a material reference.

(*Id.* at 3-4).

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Applicants respectfully submit that the Information Disclosure Statement filed on March 20, 2002, complies with 37 C.F.R. § 1.56 regarding the duty to disclose information. Applicants submitted in good faith the cited references to comply with their duty to disclose information to the PTO. Furthermore, before a first Office Action dated July 10, 2003, was received in this application, Applicants filed the Information Disclosure Statement in a timely manner pursuant to 37 C.F.R. § 1.97(b).

Moreover, as a courtesy to the Examiner, Applicants submit herewith a CD-ROM containing soft copies of all the references cited in the Information Disclosure Statement, including PDFs and searchable text of those references, to assist the Examiner in considering all the references. Accordingly, Applicants respectfully request the Examiner to consider the references cited in the Information Disclosure Statement filed on March 20, 2002, pursuant to 37 C.F.R. § 1.97(c), and initial the submitted PTO-1449 form indicating that all references have been considered.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: November 10, 2003

By: 

Sang Hui Michael Kim
Reg. No. 40,450

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Date: November 10, 2003

Signed: 

Linda Phillips

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